



APPENDIX:M



**Report
Phase I Environmental Site Assessment
Elmwood Surplus Land Project
Milpitas, California**

Prepared for:
Silicon Valley Advisors, LLC
1150 North First Street, Suite 130
San Jose, CA 95112

Prepared by:
URS Corporation
55 South Market Street, Suite 1650
San Jose, California 95113
URS Project No. 95-00270020.00
August 19, 2002

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	ES-1
1.0 INTRODUCTION.....	1-1
1.1 PURPOSE AND SCOPE.....	1-1
2.0 PROPERTY DESCRIPTION AND SITE ENVIRONMENT.....	2-1
2.1 LOCATION AND PROPERTY DESCRIPTION.....	2-1
2.2 SITE AND VICINITY GENERAL CHARACTERISTICS.....	2-1
2.3 CURRENT USES OF THE PROPERTY.....	2-1
2.4 SURFACE WATER CHARACTERISTICS.....	2-1
2.5 LOCAL GEOLOGY AND HYDROGEOLOGY.....	2-1
2.5.1 Geology.....	2-1
2.5.2 Hydrogeology.....	2-1
2.6 CURRENT USES OF ADJOINING PROPERTIES.....	2-2
3.0 SITE HISTORY/HISTORIC REVIEW.....	3-1
3.1 AERIAL PHOTOGRAPHS.....	3-1
3.2 HISTORICAL TOPOGRAPHIC MAPS.....	3-1
3.3 CITY DIRECTORIES.....	3-1
3.4 SANBORN MAPS.....	3-1
3.5 SUMMARY OF SITE HISTORY.....	3-1
4.0 PREVIOUS ENVIRONMENTAL INVESTIGATIONS.....	4-1
5.0 REGULATORY LIST SEARCH.....	5-1
5.1 FEDERAL REGULATORY AGENCY DATABASES.....	5-1
5.2 STATE REGULATORY AGENCY DATABASES.....	5-2
5.3 UNMAPPED SITES.....	5-4
5.4 SUBJECT PROPERTY DATABASES.....	5-4
5.5 NEARBY SITES OF POTENTIAL CONCERN.....	5-4
6.0 REGULATORY LIST SEARCH.....	6-1
6.1 REGIONAL WATER QUALITY CONTROL BOARD.....	6-1
6.2 SANTA CLARA VALLEY WATER DISTRICT.....	6-2
6.3 CITY OF MILPITAS FIRE DEPARTMENT: HAZARDOUS MATERIALS DIVISION.....	6-2
7.0 SITE RECONNAISSANCE/PRESENT SITE CONDITIONS.....	7-1
7.1 PROPERTY PERSONNEL INTERVIEWSA.....	7-1

TABLE OF CONTENTS

7.2 GENERAL CONDITIONS	7-1
7.2.1 Aboveground and Underground Storage Tanks.....	7-2
7.2.2 Hazardous Materials and Hazardous Waste.....	7-2
7.2.2.1 Hazardous Materials	7-2
7.2.2.2 Hazardous (Dangerous) Waste.....	7-2
7.2.3 Polychlorinated Biphenyls (PCBs).....	7-2
7.2.4 Asbestos-Containing Materials (ACM).....	7-2
7.2.5 Odors.....	7-2
7.2.6 Utilities.....	7-2
7.2.7 Wells, Drains and Sumps.....	7-2
7.2.8 Pits, Ponds, or Lagoons.....	7-3
7.2.9 Stained Soil or Pavement.....	7-3
7.2.10 Stressed Vegetation.....	7-3
7.2.11 Solid Waste.....	7-3
7.2.12 Water.....	7-3
7.2.13 Lead Containing Sources	7-3
7.3 PROPERTY PERSONNEL INTERVIEW	7-3
8.0 CONCLUSIONS AND RECOMMENDATIONS	8-1
8.1 SUMMARY OF KEY FINDINGS AND OBSERVATIONS.....	8-1
8.2 RECOMMENDATIONS.....	8-1
9.0 LIMITATIONS	9-1
10.0 REFERENCES.....	10-1
10.1 AERIAL PHOTOGRAPHS REVIEWED AT AIR FLIGHT SERVICE, SANTA CLARA, CALIFORNIA	8-1
10.2 OTHER REFERENCES.....	8-1

FIGURE

Figure 1 – Site Topographic/Vicinity Map

APPENDICES

Appendix A – Elmwood Surplus Land Aerial Photo and Project Boundaries

Appendix B – Historical Topographic Maps

Appendix C – City Directories

Appendix D – Sanborn Map Report

TABLE OF CONTENTS

Appendix E – EDR Search Report

Appendix F – Lead Regulatory Agency Site Reports

Appendix G – Site Reconnaissance Photos

PROJECT OVERVIEW

This report presents the findings and conclusions of a Phase I Environmental Site Assessment (ESA) for the Elmwood Surplus Land parcels near the intersection of Able Street and Curtis Avenue in Milpitas, California (the Property; Figure 1). The County of Santa Clara (County), California, currently owns the Property.

The Property consists of three separate parcels identified with Santa Clara County Assessor's Parcel (APN) numbers 86-5-09 (the northern parcel), 86-11-13 (the eastern parcel) and, approximately 20 acres of the westernmost portion of parcel number 86-5-21 (the western parcel). The areas of these parcels, and the westernmost portion of parcel number 086-05-021, are shown on the regional project aerial photo (Appendix A).

The Phase I ESA report was performed in accordance with ASTM Standard Practice E-1527-00; no exceptions to or deletions from the Practice were made --with the single exception that access to the structures on the Property was not provided. The standard is used to determine the presence of recognized environmental conditions (RECs), primarily resulting from releases of hazardous materials or the presence of hazardous substances in soil and/or groundwater at or near the Project Site that could impact the Property. To assess the presence of any REC or probability of a REC at the Project Site, as a minimum this investigation included a review of readily available pertinent documentation regarding past and current land use in the vicinity, interviews with key personnel having knowledge of past and present use of the Project Site, and conducting a reconnaissance of the site and adjacent areas.

SUMMARY OF KEY OBSERVATIONS AND FINDINGS

- The Property was used primarily for agriculture purposes between at least 1939 to about 1979.
- A small portion of northern parcel was once developed as a golf driving range and putting green, however this golf facility has since been abandoned.
- No wetland areas appear to have been identified on the Property (Harvey, 2002).
- No hazardous materials or hazardous waste was observed in the golf facility structures or on other areas of the Property, however, access to the interiors of the golf facility buildings was not obtained.
- No recognized environmental conditions (RECs) were indicated concerning the subject Property during this assessment as per ASTM Practice E-1527-00 guidelines.

RECOMMENDATIONS

URS recommends assessment of the interiors of the existing golf facility structures for any remaining hazardous materials, hazardous waste and other environmental conditions. The existing structures should be assessed for asbestos and lead based paint if these structures are to be demolished. Any soils being excavated during site development should be evaluated prior to final disposition. The locations of any areas identified as sensitive environmental features as noted in the Draft Environmental Impact Report

Executive Summary

(EDAW Inc., 2001), concerning the subject Property should be considered prior to land development.

SECTION ONE

Introduction

This report presents the findings and conclusions of a Phase I Environmental Site Assessment (ESA) for the Elmwood Surplus Land parcels near the intersection of Abel Street and Curtis Avenue in Milpitas, California (the Property). This ESA was conducted for Silicon Valley Advisors, LLC in accordance with the scope of work outlined in the proposal dated April 9 2002?? between URS Corporation (URS) and Silicon Valley Advisors, LLC.

1.1 PURPOSE AND SCOPE

The objective of the ESA is to identify "recognized environmental conditions" that may exist on the Property as defined by the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments E-1527-00. ASTM Practice E-1527-00, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, defines a recognized environmental condition as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property."

The term "recognized environmental condition" includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

The extent of research to identify recognized environmental conditions is limited by the scope of services. This assessment included a review of readily available pertinent documentation regarding past and current land use in the site vicinity.

URS' scope of services included the following elements:

- Review of pertinent, available documents and maps regarding local geologic and hydrogeologic conditions.
- Review and interpretation of historical aerial photographs of the site vicinity for selected years through the present from readily available sources.
- Review and interpretation of available archival topographic maps and historical land use maps of the site and the site vicinity for information regarding historical site land use that could have involved the manufacture, generation, use, storage and/or disposal of hazardous substances.
- Performance of a reconnaissance survey of the Property to make visual observations of existing site conditions and activities on the site.
- Review of reports of previous environmental investigations at the Property, provided by the County.
- Review of the following County, State, and U.S. Environmental Protection Agency (EPA) lists of known or potential hazardous waste sites or landfills, and sites currently under investigation for environmental violations within the specified radii:

1-mile radius

- EPA National Priority List (Federal Superfund)
- EPA Record of Decision List (RODS)
- EPA Superfund (CERCLA) Consent Decrees (CONSENT)
- EPA Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS/NFRAP) List
- Federal RCRA Corrective Action Activity List (CORRACTS)
- Environmental Cleanup Site Information System (ECSI)
- California Department of Toxic Substances Control (DTSC) Annual Workplan (AWP)
- California DTSC Calsites Database (CAL-SITES)
- California Hazardous Material Incident Report System (CHMIRS)
- "Cortese" Hazardous Waste and Substances List (CORTESE)
- California State Water Resources Control Board Proposition 65 Records (NOTIFY 65)
- Toxic Pits Cleanup Act Sites (TOXIC PITS)

1/2-Mile radius

- Federal Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS)
- Federal RCRA Treatment, Storage, and Disposal (TSD) Facilities
- List of Permitted Solid Waste Landfills or Transfer Stations (SWLF)
- List of Leaking Underground Storage Tanks Facilities (LUST)
- List of Voluntary Cleanup Program Sites (VCS)
- State Landfill

1/4-Mile radius

- Federal RCRA Generators List (Small and Large)
- CERCLIS-NFRAP
- Registered Underground Storage Tanks (USTs)
- U.S. Department of Labor, Mine Safety and Health Administration, Mines Master Index File (MINES)
- California DTSC Cleaner Facilities (CLEANERS)
- Hazardous Waste Information System (HAZNET)
- City of Milpitas Fire Department Hazardous Materials Facility (MILPITAS HAZMAT)

Property and Adjoining Properties

- Emergency Response Notification System List
- EPA Liens (NPL Liens)
- EPA ERNS List
- Federal Department of Transportation Hazardous Materials Information Reporting System (HMIRS)
- Federal Nuclear Regulatory Commission Materials Licensing Tracking System (MLTS)
- Federal Facility Index System (FINDS)
- EPA PCB Activity Database System (PADS)
- U.S. EPA Toxic Chemical Release Inventory System (TRIS)
- EPA RCRA Administrative Action Tracking System (RAATS)
- Spills Data (SPILLS)
- Toxic Substances Control Act Chemical Substance Inventory List (TSCA)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)/TSCA Tracking System (FTTS)
- California Waste Discharge System (CA WDS)
- California DTSC List of Deed Restrictions (DEED)
- Personal and/or telephone inquiries to applicable municipal, county, and state regulatory agencies for information regarding building or environmental permits, environmental violations or incidents and/or status of enforcement actions at the site.
- Review of available regulatory agency hazardous materials, underground storage tank, and site mitigation files for the Property and nearby sites of potential concern. Agencies contacted by URS included:
 - San Francisco Bay Area Regional Water Quality Control Board (RWQCB)
 - Santa Clara Valley Water District (SCVWD)– Leaking UST Oversight Program
 - City of Milpitas Fire Department: Hazardous Materials

SECTION TWO

Property Description and Site Environment

2.1 LOCATION AND PROPERTY DESCRIPTION

The Property is located in midtown Milpitas, California, as shown on Figure 1. The Property, some 58 acres in total, includes two distinct separate areas of primarily open land, as shown on the project aerial photo (Appendix A). The Property consists of three separate parcels identified with Santa Clara County Assessor's Parcel (APN) numbers 86-5-09 (the northern parcel), 86-11-13 (the eastern parcel) and, approximately 20 acres of the westernmost portion of parcel number 86-5-21 (the western parcel). The marked-up project aerial photo (Appendix A) presents the locations of these northern, eastern and western parcels. The County currently owns the Property.

2.2 SITE AND VICINITY GENERAL CHARACTERISTICS

This Property is located on a relatively flat land with a slight slope to the north. The Property is situated within a fully developed land area consisting of roadways, commercial buildings, government run facilities, and residential properties.

2.3 CURRENT USES OF THE PROPERTY

This Property is not currently developed with any operating businesses or any other facilities. A small, abandoned, golf facility currently exists on the Property.

2.4 SURFACE WATER CHARACTERISTICS

No surface water was observed during URS' site reconnaissance.

2.5 LOCAL GEOLOGY AND HYDROGEOLOGY

2.5.1 Geology

The Property is located within the eastern part of Santa Clara Valley between the Santa Cruz Mountains to the west and the Diablo Range to the east. The Santa Clara Valley is a broad northwesterly trending alluvial filled basin. These alluvial sediments are divided into older alluvial deposits that make up the majority of the valley fill, with younger deposits of alluvium confined to active stream channels. Older Cenozoic and Mesozoic rocks of the Santa Cruz Mountains and the Diablo Range underlie the thick accumulations of alluvial sediments in the Santa Clara Valley.

2.5.2 Hydrogeology

URS reviewed pertinent maps and readily available documents for information on the surface water and groundwater hydrology of the subject site. Groundwater in the vicinity of the Property is likely to be first encountered under confined conditions at approximately 20 to 30 feet below ground surface, with a groundwater gradient to the north-northwest (SCVWD 1995, 1996).

SECTION TWO

Property Description and Site Environment

2.6 CURRENT USES OF THE ADJOINING PROPERTIES

A reconnaissance of land uses for the properties adjacent to the Property was performed on July 18, 2002. The uses of the adjoining properties are as follows:

- To the south: the Elmwood Correctional facility and the Great Mall Parkway.
- To the west: Highway 880.
- To the north: commercial and residential properties.
- To the east: East Penitencia Creek, restaurants, offices, a US Post Office, a City Youth Center and a City Fire Station along South Main Street or South Abel Street.

SECTION THREE

Site History/Historic Review

to this complex crosses the eastern parcel of the subject Property. Adjoining properties to the north, east, and west, are agricultural fields; adjoining properties to the south appear as undeveloped land.

1940s:

SECTION THREE

Site History/Historic Review

To assess the past uses of the Property to evaluate the likelihood of environmental impairment, URS reviewed available historical aerial photos, topographic maps, Sanborn fire insurance maps, and historic city directories.

3.1 AERIAL PHOTOGRAPHS

URS reviewed aerial photographs dated 1939, 1950, 1959, 1969, 1979, and 1989, and 1999 at Air Flight Service in Santa Clara, California.

3.2 TOPOGRAPHIC MAPS

URS reviewed topographic maps provided by EDR, dated 1899, 1943, 1961, 1968, 1973, and 1980, for evidence of past uses. Copies of these maps are available in Appendix B.

3.3 CITY DIRECTORIES

URS subcontracted with EDR to review listings for the Property and adjoining properties in city directories (Appendix C). Directories were reviewed at approximately five-year intervals.

3.4 SANBORN MAPS

URS requested EDR to search its collection of Historical Sanborn Fire Insurance Maps for coverage of the Property. No maps were available in the EDR Sanborn Map collection. A copy of the EDR Sanborn Map search report is included in Appendix D.

3.5 SUMMARY OF SITE HISTORY

The results of our review of all historical sources are summarized below, by decade:

1890s:

1899 topographic map (San Jose, CA, 15 Minute Quadrangle) shows no structures on the subject Property. A large structure surrounded by several smaller buildings and identified as the Santa Clara County Alms House (a destitute person's boarding house) is shown on the adjoining property now occupied by the Elmwood Correctional Facility. A road leading to the Alms House from Main Street on the east crosses the eastern parcel of the subject Property. Two small structures are shown on properties adjoining the east side of this parcel, on Main Street. Abel Street and Highway 880 are not shown and no other structures appear on adjoining properties.

1900s-1920s:

No information was readily available for this time period.

1930s:

1939 aerial photo shows cultivated fields interspersed with uncultivated fields on all three parcels of the subject Property. A complex of several buildings of varying size appears on the adjoining Elmwood Correctional Facility site. An access road

SECTION THREE

Site History/Historic Review

parcel to the north and east. The buildings identified as a school on the 1968 topographic map are visible north of the northwest corner of the Property.

1970s:

1973 topographic map (San Jose West, CA, 7.5 Minute Quadrangle) shows additional expansion of Elmwood Correctional Facility. Three small to medium-sized buildings are shown on the properties adjoining the northern end of the eastern parcel. One small structure is shown on the Milpitas Fire Station property.

1975 city directory documents commercial use on both sides of South Abel and South Main Streets, including several auto repair and/or sales facilities. "Elmwood Correctional Facility" is listed at 701 South Abel Street.

1979 aerial photo shows agricultural fields on the western and northern parcels and a vacant field on the eastern parcel. No significant changes are visible on adjoining parcels.

1980s:

1980 topographic map (San Jose West, CA, 7.5 Minute Quadrangle) shows no changes to the subject Property or adjoining properties except an additional structure on the Milpitas Fire Station property.

1980, 1985, and 1986 city directories document continued commercial use on adjoining properties on South Abel and South Main streets and residential and commercial office uses on adjoining parcels to the north of the northern parcel.

1989 aerial photo shows three or four long, rectangular structures near the north end of the western parcel of the subject Property. One small structure is located near the southwest corner of the western parcel. Two large buildings with adjacent parking lots have replaced the school buildings north of the northeast corner of the northern parcel. The Milpitas Fire Station No. 1 property is developed with two structures. The property south of the western parcel is divided into small agricultural fields; the existing commercial development west of Highway 880 is apparent in this photo.

1990s:

1991 city directory listings for adjoining properties do not indicate any significant change in land use.

In the 1999 aerial photo, the rectangular structures and possible landing strips are no longer visible near the north end of the western parcel. The western portion of the northern parcel is developed with structures and a parking lot (golf facility related development). The remainder of the Property consists of vacant fields. The Elmwood Correctional Facility parking lot now bounds the western parcel to the east and additional development is evident on the Milpitas Fire Station property. To the south of the western parcel, Great Mall Parkway and the Highway 880 Interchange appear for the first time.

SECTION FOUR

Previous Environmental Investigations

5.1 Previous Environmental Investigations

A limited environmental site assessment was performed in April 2001 for the County concerning the then closed Milpitas Family Golf facility located at the Property by Harding ESE of Novato, California. The report did note that some minor oil staining was observed in the golf facility maintenance shed but no other significant environmental conditions were noted and no recommendations for remedial action were made. Harding ESE did advise the County to remove all remaining chemicals and waste from the shed (Harding ESE, 2001).

SECTION FIVE

Regulatory List Search

A review of applicable regulatory agency documents and lists of known or potential hazardous waste sites or landfills, and properties or facilities currently under investigation for potential environmental violations was conducted to identify properties or facilities that may have the potential to adversely affect environmental conditions at the site. A search of regulatory agency files and records, based on ASTM Practice E 1527-00, was provided by EDR. A copy of the EDR search report is attached as Appendix E. For the purpose of addressing the relative location of a listed site to the Property, the shallow groundwater flow direction is inferred to be northwest to north-northwest, based on fuel leak monitoring reports for a nearby site (SCVWD 1996).

The Property was listed in the EDR database report. Sections 4.1 and 4.2 below describe EDR's findings beyond the subject Property.

5.1 FEDERAL REGULATORY AGENCY DATABASES

U.S. EPA National Priorities List (NPL)

The NPL includes those sites determined by the EPA to require priority remedial action, and those sites for which Superfund finances have been allotted. There are no NPL sites listed on the EDR database within 1 mile of the Property.

U.S. EPA Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) List

The CERCLIS List is a compilation by EPA of the properties or facilities which EPA has investigated or is currently investigating for a release or threatened release of hazardous substances pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Superfund Act). There are no CERCLIS sites listed on the EDR database within 1/2-mile of the Property.

The CERC-NFRAP List is a compilation by EPA of the sites that have been removed from the CERCLIS List. Removal may be justified by proof of no contamination, rapid contamination removal, or contamination deemed not serious enough to require Federal action. There is one CERC-NFRAP sites listed on the EDR database within 1/4-mile of the Property.

U.S. EPA RCRA Corrective Action Activity List

The CORRACTS List is a list compiled by EPA of the corrective action core events that have occurred for every handler that has had corrective action activity. There is one CORRACTS sites listed on the EDR database within 1 mile of the Property.

U.S. EPA Resource Conservation and Recovery Act (RCRA-TSD) List

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRIS Facilities List is a compilation by EPA of

SECTION FIVE

Regulatory List Search

reporting facilities that store, transport, treat or dispose of hazardous waste. There are no RCRA-TSD facilities listed on the EDR database within 1/2-mile of the Property.

U.S. EPA RCRA Generators or Notifiers List

The EPA's Resource Conservation and Recovery Act Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities List is a compilation by EPA of reporting facilities that generate large (LQG) and small (SQG) quantities of hazardous waste. Inclusion on LQG or SQL lists is not necessarily an indicator of current environmental impacts. There are 22 SQG and 4 LQG sites listed on the EDR database within 1/4-mile of the Property.

FINDS

Facility Index System/ Facility Identification Initiative Program Summary Report) An EPA generated facility information report that contains both facility information and 'pointers' to other sources that contain more detail. There are no FINDS sites listed within the searched area.

HMIRS

The Hazardous Material Incident Report System contains information on reported hazardous material incidents, i.e., accidental releases or spills. The source is the Department of Transportation. There are no HMIRS sites within the searched area.

5.2 STATE REGULATORY AGENCY DATABASES

Listing of Underground Storage Tanks (USTs) Reported in California

This listing is a compilation of site names and addresses and tank information for sites with USTs. Inclusion on the UST list is not necessarily an indicator of current environmental impacts. There are 6 active registered UST site and 18 historical USTs listed on the EDR database or within 1/4-mile of the subject site.

Listing of Aboveground Storage Tanks (ASTs) Reported in California

This listing is a compilation of site names and addresses and tank information for sites with ASTs. Inclusion on the AST list is not necessarily an indicator of current environmental impacts. There are no registered AST sites listed on the EDR database within the searched area.

Leaking Underground Storage Tank (LUST) List

The LUST list is a compilation of sites with confirmed leaking underground storage tanks that have been reported to ODEQ. There are 42 LUST sites listed within 1/2-mile of the Property.

SECTION FIVE**Regulatory List Search*****CAL-Sites***

The California Department of Toxic Substances Control - Cal-Sites database contains both known and potential hazardous substance sites. There are 15 CAL-Sites sites located within 1 mile of the Property.

CHIMRS

The California Office of Emergency Services - CHIMRS database contains information on reported hazardous material incidents. There are 119 CHIMRS sites identified in the EDR report within 1 mile of the Property.

CORTESE

The California Environmental Protection Agency - CORTESE database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program, sites with USTs having a reportable release, and all disposal facilities from which there is known migration. There are 54 CORTESE sites identified in the EDR report within 1 mile of the Property.

NOTIFY 65

Notify 65 records contain facility notifications about any release that could impact drinking water. There are 4 Notify 65 sites identified in the EDR report within the searched area.

Cal SLIC

Spills, Leaks, Investigation & Cleanup Cost Recovery Data Listings from the California Regional Water Quality Control Board. There is 1 Cal SLIC site identified in the EDR report within 1/4 mile of the Property.

HAZNET

The HAZNET database identifies sites that ship hazardous waste. Inclusion on the HAZNET list is not necessarily an indicator of environmental impacts. There are 4 sites within 1/8 mile of the Property, including the subject Property.

CALIFORNIA EPA FACILITY INVENTORY DATABASE

The California EPA Facility Inventory Database lists inactive and active USTs (CA FID USTs) from SWRCB records. There are 16 registered CA FID UST sites listed on the EDR database within 1/4-mile of the subject Property.

DRYCLEANER FACILITIES

The DTSC Drycleaner Facilities database (Drycleaner) is a list of drycleaner-related facilities. There are no Drycleaner sites listed on the EDR database within 1/4-mile of the Subject Property.

SECTION FIVE

Regulatory List Search

5.3 UNMAPPED SITES

Unmapped sites (or "orphans") are those which cannot be geo-coded due to insufficient location information. Numerous unmapped sites were identified in the EDR report. All of the unmapped sites identified in the EDR report were checked. One of the listings Elmwood Correctional Facility, listed on the Cortese, LUST, and CA SLIC databases, is for an adjoining Property. None of the other unmapped sites are considered to present an environmental concern to the Property.

5.4 SUBJECT PROPERTY DATABASES

The Property (including the abandoned golf facility) was not listed on any of the databases searched by EDR:

5.5 NEARBY SITES OF POTENTIAL CONCERN

In general, URS considered any sites listed in the EDR database report to warrant further investigation according to the following screening criteria:

- (1) A facility is listed on one of the databases of reported hazardous materials releases (Federal NPL, Federal CORRACTS, Federal CERCLIS, ERNS, HMIRS, TRIS, State SPL, State SCI, State LUST, State Deed Restrictions, CHMIRS, Notify 65, and State Toxic Pits), is located potentially up-gradient of the Property, and is not listed in the database as "closed" or "no further action" (including NFRAP).
- (2) A facility is listed as a solid waste landfill and located potentially up-gradient of the Property (not including transfer stations).
- (3) A facility adjoins the Property and is listed as a RCRA large-quantity hazardous waste generator, a CERCLIS NFRAP site, or as a UST operator.

Using these criteria, eight sites appeared to be of initial concern for the Property:

- 1) Elmwood Correctional Facility, 701 South Abel Street, adjoins the subject Property. This facility is listed on the Cortese, LUST, CA SLIC, Historical UST, CHMIRS, RCRIS-SQG, and HAZNET databases. According to the EDR report, a release of gasoline to soil and groundwater was discovered during closure of an UST in 1993. The fuel leak case was closed by the local oversight agency. A diesel UST has also been removed from the facility. The CHMIRS listing documents a release of 6 cubic feet of liquid dishwashing detergent in 1988. EDR does not provide any details for the CA SLIC listing.
- 2) Milpitas Fire Station #1, 25 West Curtis Avenue, adjoins the Property to the east. This site is listed on the LUST and CHMIRS databases. The LUST database indicates that the fuel leak case was closed in 1996. In addition to the LUST, 0.05 gallons of gasoline was reported released at this property in 1988.
- 3) U.S. Postal Service, 450 South Abel Street, is north to northeast of the Property. This facility is listed on the LUST and historical UST databases. A gasoline release

SECTION FIVE**Regulatory List Search**

to soil and groundwater was discovered in 1987 during closure of an UST. The fuel leak case has been closed.

- 4) Federal Express, 620 South Main Street. This facility is listed on the LUST database. The fuel leak case was closed in 1999.
- 5) PMT Union Pacific Railroad, 650 Hammond, about 1/8 mile east of the Property. This facility is listed on the LUST and Cortese databases. A leaking waste oil UST was discovered at this site in 1992, affecting soil and groundwater. The case was closed in 1996.
- 6) J. R. Parrish (Winston Tire), 400 South Main Street, is northeast of the Property. This facility, an auto repair business, is listed on the CA SLIC database.
- 7) 225 Sylvia Avenue, a residential property, adjoins the subject Property to the north. A listing on the ERNS database refers to a release of motor oil in 1991.

SECTION SIX

Regulatory Agency File Reviews

URS conducted telephone and personal, and online inquiries to applicable municipal, state and county offices, and regulatory agencies for information on the subject Property and other sites of potential concern. Where warranted, we reviewed files for these sites available online or in the office of the lead agency. A listing of the public agencies contacted and a summary of relevant findings are provided below.

6.1 REGIONAL WATER QUALITY CONTROL BOARD

URS reviewed available files at RWQCB in Oakland, California on July 16, 2002. Our findings are as follows:

- J. R. Parrish (Winston Tire Company 400 S. Main St.) – This is an inactive site. According to a report dated April 1991 (AquaGeosciences, 1991), only minor impacts to soil from petroleum hydrocarbons (oil or grease) was indicated. Copies of the Winston Tire Company documents are included in Appendix F.
- Elmwood Correctional Facility – No case files have been initiated for this site by the RWQCB.
- 225 Sylvia Ave -- No case files have been initiated for this site by the RWQCB.

6.2 SANTA CLARA VALLEY WATER DISTRICT

URS reviewed files available online at the SCVWD's Internet site for Elmwood Correctional Facility at 701 South Abel Street, Milpitas Fire Station #1 at 25 West Curtis Avenue, the U.S. Postal Service at 450 South Abel Street, Federal Express at 620 South Main Street, and PMT Union Pacific Railroad at 650 Hammond. Our findings are as follows:

- Elmwood Correctional Facility: We reviewed the case closure letter issued by the SCVWD on February 8, 1995, and the case closure summary. Two gasoline USTs were removed in September 1993 from a location in the southwest portion of the site. Contaminated soil was excavated and aerated on site. After soil remediation had been completed, two on-site monitoring wells were sampled three times. The only petroleum hydrocarbon detected during the last sampling event, in December 1994, was a low concentration of toluene. Copies of these documents are included in Appendix F.
- Milpitas Fire Station #1: We reviewed the case closure letter issued by the SCVWD on November 25, 1996, and the case closure summary. One diesel and two gasoline USTs were removed in May 1992. Most of the contaminated soil was excavated and disposed of off-site. Five groundwater-monitoring wells were installed, including two on the subject Property. Petroleum hydrocarbons were detected in the groundwater samples only once, at very low levels, and were not detected at all during the last three sampling events. Copies of these documents are included in Appendix F.
- U.S. Postal Service: We reviewed the case closure letter issued by the SCVWD on June 28, 2000, and the case closure summary. A release from a gasoline UST was detected in January 1987. The UST was subsequently closed. Contaminated soil was excavated, and two wells were installed to monitor the contamination in groundwater.

SECTION SIX

Regulatory Agency File Reviews

Only low concentrations of petroleum hydrocarbons were detected in the monitoring wells. When the wells were last sampled, in October 1999, no petroleum hydrocarbons or fuel oxygenates were detected in either of the wells. Copies of these documents are included in Appendix F.

- Federal Express: We reviewed the case closure letter issued the SCVWD on June 11, 1999, and the case closure summary. One gasoline and one waste oil UST were removed in 1998. Soil contaminated was limited to total recoverable hydrocarbons (TRPH). Moderate concentrations of TRPH and low concentrations of MTBE were detected in groundwater. According to the case closure summary, the MTBE contamination was "considered defined and limited in extent and magnitude." Copies of these documents are included in Appendix F.
- PMT Union Pacific Railroad: We reviewed the case closure letter issued by the SCVWD on November 1, 1996, and the case closure summary. Two waste oil USTs and one solvent UST were removed in 1992. Groundwater impact in two monitoring wells associated with the release was limited to oil and grease. Copies of these documents are included in Appendix F.

Based on URS' review, none of the LUST sites listed above present an environmental concern relative to the subject Property.

6.3 CITY OF MILPITAS FIRE DEPARTMENT: HAZARDOUS MATERIALS DIVISION

URS contacted the City of Milpitas Fire Department, Hazardous Materials division to determine if the now abandoned golf facility at the northern parcel was ever included in the Milpitas Fire Department's hazardous material inspection program. According to Mr. Val Pateno, Fire Department Hazardous Material Inspector for this region, no hazardous material inspections were performed, nor were they ever required to be performed, at the golf facility.

SECTION SEVEN

Site Reconnaissance/Present Site Conditions

7.1 PROPERTY PERSONNEL INTERVIEWS

On July 17, 2002, Mr. Wayne Dittman, R.G., interviewed Mr. Donald Peoples, owner of Peoples Associates Structural Engineers at 529 S. Main Street, Milpitas, located adjacent to the Property. Mr. Peoples has lived in Milpitas since 1988 as was familiar with the area and the history of the Property. Mr. Peoples indicated that he had no knowledge of any adverse environmental impacts to lands in the immediate area, based on his experience.

On July 18, 2002, Mr. Wayne Dittman, R.G., also interviewed Ms. Marina Rush, Associate Planner with the City of Milpitas. Ms. Rush provided URS with a draft Environmental Impact Report (EDAW Inc., 2001) prepared for the City of Milpitas midtown area which includes the Property. Ms. Rush also noted that her knowledge of the Property was limited and referred Mr. Dittman to other County personnel. However, Ms. Rush did note that wetland areas were known to exist, archeological site(s) may have been discovered on the Property. The remaining grove of the "O'Toole Elms" (the Elmwood grove of trees located on the eastern parcel (see site reconnaissance photos Appendix C) may be considered by the City of Milpitas as "Heritage" trees (EDAW Inc., 2001).

URS has since obtained a Biotic Constraints Analysis Report concerning the wetland issue at the Property. This report did not indicate that wetland areas actually exist on the Property (Harvey, 2002).

URS also contacted Mr. Lawrence J. Klameki, Special Projects Manager for the County of Santa Clara, to obtain additional information. The following summarizes information provided by Mr. Klameki as they relate to the Property:

- No underground or above ground storage tanks are currently in use.
- The County had no knowledge of any previous environmental reports pertaining to the Project Site with the exception of one limited Phase I report prepared by the firm Harding ESE for the golf course area as noted in Section 4 (Harding ESE, 2001).
- The County had no knowledge of any pending, threatened, or past litigation, administrative proceedings, or notices of possible environmental liability concerning the Project Site.
- The County indicated that golf facility personnel well had installed a groundwater irrigation for their use.
- The County indicated that the contents of the golf facility structures were removed some time ago and County personnel from the GSA Procurement Department inspected the facility after the lessee's departure.
- The County indicated that there were no environmental liens, spill reports, environmental audits other than those conditions indicated in the Harding ESE report for the golf facility (Harding ESE, 2001).

SECTION SEVEN

Site Reconnaissance/Present Site Conditions

Mr. Dittman conducted a reconnaissance survey of the Property to assess present land use practices, site operations and environmental conditions on July 18 and August 1, 2002. The sections below summarize our observations of site activities and conditions. Photographs taken during this site visit are presented in Appendix G.

7.2 GENERAL CONDITIONS

The only structures observed on the subject Property during URS' site reconnaissance were the clubhouse, restroom and equipment storage shed related to the now abandoned golf facility located at the western end of the northern parcel. The golf facility was formerly doing business as the "Family Golf Center - Milpitas".

The remainder of the Property is essentially unused open land. A large mound of soil about 100 feet by 100 feet square by 6 feet high was observed during our site reconnaissance at the south end of the western parcel. County personnel contacted by Mr. Klamecki had no information concerning the status or source of this mound of soil.

7.2.1 Aboveground and Underground Storage Tanks

Neither aboveground tanks nor underground storage tanks were observed or known to exist on the Property.

7.2.2 Hazardous Materials and Hazardous Waste

No hazardous materials or hazardous waste was observed in the golf facility structures or on other areas of the Property, however, access to the interiors of the golf facility buildings was not obtained.

7.2.2.1 Hazardous Materials

No hazardous materials were observed.

7.2.2.2 Hazardous (Dangerous) Waste

No dangerous waste was observed.

7.2.3 Polychlorinated Biphenyls (PCB)

Two ground mounted electrical transformers are located near the abandoned golf facilities. URS did not observe any leaks from units. Pole mounted electrical transformers were observed at the eastern parcel. From prior discussions, PG&E personnel have stated that, in general, most of their transformers with PCB containing fluids have been replaced with non-PCB containing fluid.

7.2.4 Asbestos-Containing Materials (ACM)

Assessment of suspect ACMs is beyond URS's scope of services.

7.2.5 Odors

No unusual odors were observed during the site visit.

SECTION SEVEN**Site Reconnaissance/Present Site Conditions****7.2.6 Utilities**

The only area where utility services have been required in recent times was at the abandoned golf facility area. P G & E supplied electrical services to this facility, sewage was apparently discharged to the City sanitary sewer (based on observation of a access box marked as "Sewer"); potable water was supplied by the City water system based on observation of a City fire hydrant and water meter at the former golf facility parking lot.

Other underground utilities/improvements included storm drains, water mains, electric lines, telephone lines and a sewer main. No conveyance lines used for transport of hazardous materials were observed.

7.2.7 Wells, Drains and Sumps

No sumps were observed. Storm drains were observed near the parking lot and one irrigation well is known to exist on the Property at the Former golf facility.

7.2.8 Pits, Ponds or Lagoons

No pits or lagoons were observed. Abandoned ponds once used at the former golf facility putting green area were found to be dry.

7.2.9 Stained Soil

No stained soil was observed.

7.2.10 Stressed Vegetation

No stressed vegetation was observed.

7.2.11 Solid Waste

Solid waste is no longer collected at the Property. Minor amounts of trash were observed at the Property; the items included used tires, scrap wood and scrap metal.

7.2.12 Water

No surface water was observed on the Property. Signs posted at the abandoned golf facility indicated that reclaimed water had been used during former golf facility operations.

7.2.13 Lead Containing Sources

Assessment of suspect lead containing sources is beyond URS's scope of services.

SECTION EIGHT

Conclusions and Recommendations

8.1 SUMMARY OF KEY FINDINGS AND OBSERVATIONS

- The Property was used primarily for agriculture purposes between at least 1939 to about 1979.
- A small portion of northern parcel was once used as a golf driving range and golf putting green, however this golf facility has since been abandoned.
- Wetland areas do not appear to have been identified on the Property (Harvey, 2002).
- No recognized environmental conditions were indicated concerning the subject Property during this assessment as per ASTM Practice E-1527-00 guidelines.

8.2 RECOMMENDATIONS

URS recommends assessment of the interiors of the existing golf facility structures for any remaining hazardous materials, hazardous waste and other environmental conditions. The existing structures should be assessed for asbestos and lead based paint if these structures are to be demolished. Any soils being excavated during site development should be evaluated prior to final disposition. Other sensitive environmental features, as noted in the Draft Environmental Impact Report (EDAW Inc., 2001), concerning the subject Property should be considered prior to land development.